

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	Case No.: 2:08cr64-WKW
)	
ALBERT GREGORY BIRMINGHAM)	

**MOTION TO WITHDRAW FEDERAL DEFENDERS
AS COUNSEL OF RECORD AND FOR APPOINTMENT OF CJA PANEL ATTORNEY**

COMES NOW the Federal Defenders Office and moves to withdraw the office as Counsel of Record and for Appointment of a CJA Panel Attorney on behalf of Defendant.

In support of this Motion, counsel states the following:

1. On April 28, 2008 the Federal Defender Office was appointed to represent Mr. Birmingham with respect to the above- styled case.
2. A conflict exists between the Federal Defenders Office, Mr. Birmingham and a former client of the Federal Defenders Office.
3. Undersigned counsel requests that on behalf of Mr. Birmingham, CJA panel attorney William Whatley, Esquire, be appointed to represent him in all further proceedings in this case.

WHEREFORE, undersigned counsel prays that the office of the Federal Defender be permitted to withdraw from the representation of Mr. Birmingham and that CJA Panel Attorney, William Whatley, Esquire be appointed to represent him.

Respectfully submitted,

s/ Kevin L. Butler
KEVIN L. BUTLER
First Assistant Federal Defender
201 Monroe Street, Suite 407
Montgomery, Alabama 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail: kevin_butler@fd.org
AZ Bar Code: 014138

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	Case No.: 2:08cr64-WKW
)	
ALBERT GREGORY BIRMINGHAM)	

CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Verne Speirs, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler
KEVIN L. BUTLER
First Assistant Federal Defender
201 Monroe Street, Suite 407
Montgomery, Alabama 36104
Phone: (334) 834-2099
Fax: (334) 834-0353
E-mail: kevin_butler@fd.org
AZ Bar Code: 014138